2026:BHC-AUG:16670

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 547 OF 2026

Sunil Dinkar Deshmukh
VERSUS
The State Of Maharashtra
...

- Mr. Jarare Prasad Devidas, Advocate for Applicant
- Mr. D. J. Patil, APP for Respondent - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 15.04.2026

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant has approached this Court apprehending arrest in connection with FIR No. 450 of 2025 dated 13.12.2025 registered with Jawahar Nagar Police Station, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 3 and 4 of the Maharashtra Protection of Depositors & Investors in Financial Establishments Act and Sections 316(2), 316(5), 318(4), 61(2), and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Learned counsel for the applicant submits that the informant lodged the FIR on 13.12.2025 alleging that accused Mathuradas

Deshmukh induced him to invest in Vighnharta Multi State Cooperative Credit Society, and accordingly he deposited an amount of Rs.93,05,500/- on 01.04.2025. When the complainant sought premature withdrawal on 01.07.2025, he was denied repayment on the ground that Mathuradas Deshmukh had died due to cancer. The co-accused, who were directors of the said society, failed to repay the deposited amount.

4. Insofar as the present applicant is concerned, it is submitted that he was working as a Recovery Manager at the Chhatrapati Sambhajinagar branch of the said society. He is not arrayed as an accused in the charge-sheet. It is further submitted that all directors have already been released on bail and that the depositors have been repaid their amounts. Nothing remains to be recovered from the present applicant. The applicant has no criminal antecedents and is willing to abide by any conditions imposed by this Court. Hence, protection is sought.

5. Per contra, the learned APP strongly opposes the application, submitting that the applicant is involved in a financial scam registered under the MPID Act. It is alleged that investors were lured with promises of high returns and that the applicant, being a manager, assisted the co-accused in siphoning funds. Certain suspicious transactions are reflected in the applicant's account as well as in the society's account. It is submitted that the applicant withdrew an amount of Rs.6,52,100/- during his tenure, which requires recovery. Hence, custodial interrogation is necessary.

6. I have perused the charge-sheet and investigation papers. The applicant is not arrayed as an accused in the charge-sheet. Certain transactions attributed to the applicant appear to have been explained by him. The amount of Rs.6,52,100/- is shown to have been withdrawn through cheques. The record indicates that the applicant was issued notice, attended the police station, and his statement was recorded on 22.01.2026. He has explained the expenditure incurred during his tenure as Recovery Manager.

7. Though the applicant has not been arrested and is not shown as an accused in the charge-sheet, these observations are prima facie in nature and made only for deciding the present application, the same shall not influence the trial Court. The applicant has expressed his willingness to deposit Rs.25,000/- to show his bona fides and has undertaken to abide by conditions. The apprehension of the prosecution can be addressed by imposing appropriate conditions. Hence, I am inclined to grant protection.

8. Hence, the following order is passed :-

O R D E R

i. The Anticipatory Bail Application is allowed.

ii. In the event of arrest of the applicant – Sunil Dinkar Deshmukh, he shall be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand only) with one or two solvent sureties in the like amount, in connection with FIR No. 450 of 2025 registered with Jawahar Nagar Police Station, District Chhatrapati Sambhajinagar, for the offences mentioned above, on the following conditions:

A) The applicant shall attend the concerned police station and report to the Investigating Officer on 21st, 22nd, 28th, and 29th April 2026 between 12:00 noon and 02:00 p.m., and thereafter as and when called.

B) The applicant shall deposit Rs.25,000/- before the learned Trial Court.

C) The Applicant shall also cooperate with the investigation.

D) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

E) The applicant shall not leave the country without prior permission of the Trial Court.

F) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

9. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the anticipatory bail granted hereinabove.

10. The observations made herein are prima facie and shall not influence the Trial Court while deciding the case on its own merits.

11. In view of the above, the Anticipatory Bail Application stands disposed of.

(MEHROZ K. PATHAN, J.)